



## ORDINANCE NO. 2026-11

### TO AUTHORIZE AND DIRECT THE CITY MANAGER TO PERFORM A REAL ESTATE PURCHASE AGREEMENT TO PROVIDE FOR THE SALE OF REAL PROPERTY LOCATED AT 64 EAST WALNUT STREET.

**WHEREAS**, the City of Westerville (the “City”) is the owner of certain real property located at 64 East Walnut Street, Westerville, Ohio, consisting of approximately 5.20± acres (the “Property”); and,

**WHEREAS**, the City acquired the Property in 1998 and has utilized it for various municipal purposes, including housing City offices; and,

**WHEREAS**, following the construction and opening of the City’s new Justice Center and the relocation of departmental operations to the recently renovated City Hall, the Property is no longer needed for municipal purposes; and,

**WHEREAS**, the sale of the Property furthers the City’s long-term planning goals, including implementation of the *Uptown Plan* and the *Advance Westerville Economic Development Strategy*, which call for mixed-use development, additional housing, hospitality uses, and parking in the Uptown Westerville area (“Uptown”); and,

**WHEREAS**, Continental Development Ventures, LLC (“Buyer”) has proposed to acquire and redevelop the Property as a mixed-use development including a boutique hotel, restaurant, multi-family residential housing, designated public parking, and a parking facility; and,

**WHEREAS**, the City and Buyer have negotiated a Real Estate Purchase Agreement (the “Agreement”) providing for the potential sale of the Property, subject to multiple conditions, including due diligence, zoning and development approvals, execution of a Development Agreement, and approval by Westerville City Council (“Council”); and,

**WHEREAS**, the Agreement is structured as a conditional agreement and does not obligate the City to convey the Property unless all required approvals and conditions precedent are satisfied, and the City will retain ownership and control of the Property unless and until those conditions are met; and,



**WHEREAS**, the Agreement is further contingent upon the Buyer obtaining all necessary zoning, land use, and governmental approvals through a separate public process involving the Planning Commission and Council; and,

**WHEREAS**, the Agreement also contemplates the negotiation and Council approval of a development agreement (“Development Agreement”) to address project-specific obligations, including construction obligations and timelines, building and development specifications, the financing and operation of the parking facility, including public parking rights, and other public benefits associated with the project; and,

**WHEREAS**, the Agreement contemplates that the City will subdivide the Property and retain a portion of the land generally located at the northeast corner along East Park Street and Summit Street, with the remaining portion to be conveyed to Buyer; and,

**WHEREAS**, the Agreement and related Development Agreement are intended to protect the City’s long-term interests, including provisions governing project performance and the City’s rights in the event the project is not completed as approved; and,

**WHEREAS**, the proposed redevelopment will provide additional housing, hospitality, and public parking resources in the Uptown area, advancing Council’s strategic objectives; and,

**WHEREAS**, the proposed disposition of the Property supports Council’s strategic objectives and the use of proceeds from City-owned assets; and,

**WHEREAS**, pursuant to the City Charter and Codified Ordinances, the sale of municipal real property requires approval by Council.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WESTERVILLE, OHIO THAT:**

**SECTION 1.** That Council hereby approves the Agreement between the City and the Buyer for the sale of the Property located at 64 East Walnut Street, Westerville, substantially in the form on file with the Clerk of Council, with such revisions, deletions, additions, or modifications as may be approved by the City Manager, provided such modifications are not materially inconsistent with this approval.

**SECTION 2.** That the City Manager is hereby authorized and directed to execute the Agreement on behalf of the City and to take all actions necessary or appropriate to carry out the terms thereof, including but not limited to the execution and delivery of deeds, closing statements, affidavits, addenda, amendments, easements, agreements, and such other documents as may be



required by the title company or otherwise deemed necessary or prudent by the City Manager to provide for the sale and the closing of the Property which are generally in accordance with the terms and provisions of the Agreement.

**SECTION 3.** That the City Manager is further authorized to negotiate and present to Council for approval a development agreement and related documents consistent with the terms of the Agreement, which shall address, among other things, construction obligations and timelines, building and development specifications, the financing and operation of the parking facility, including public parking rights, and other public benefits associated with the redevelopment of the Property.

**SECTION 4.** That the net proceeds received from the sale of the Property shall be deposited into the General Fund #101.

**SECTION 5.** That Council finds and determines that all formal actions of this Council and any of its committees concerning or relating to the passage of this Ordinance were taken in open meetings of this Council or its committees, and that all deliberations of this Council and any such committees that resulted in those formal actions were in meetings open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

**SECTION 6.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_

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Megan Czako  
Chair of Council

APPROVED: \_\_\_\_\_

Andrew Winkel  
Director of Law

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Sara Yinger  
Clerk of Council